

**IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF NEW MEXICO**

**STATE OF NEW MEXICO, *ex rel.*  
State Engineer**

**Plaintiff,**

**v.**

**RAMON ARAGON, *et al.*,**

**Defendants.**

**69cv07941 JEC-ACE**

**RIO CHAMA STREAM SYSTEM  
Section 3: Rio Nutrias, Rio Cebolla  
& Canjilon Creek**

**NEW MEXICO'S MOTION TO JOIN  
ADDITIONAL PARTIES DEFENDANT**

COMES NOW plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and respectfully requests the Court to join as additional parties defendant the persons or entities named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons listed in Exhibit A attached hereto are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Basin. These waters belong to the public and are subject to appropriation in accordance with the laws of the state. This Court has exclusive jurisdiction of adjudicate all claims to the right to divert, store, or use public waters in the Rio Chama Basin.

2. The persons or entities listed in Exhibit A are in Section 3 of the Rio Chama Basin, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using and diverting surface or underground waters within Section 3 of the Rio Chama Basin.

DATED: February 19, 2002

Respectfully submitted,

/s/ Ed Newville  
EDWARD G. NEWVILLE  
Special Assistant Attorney General  
Office of the State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 827-6150

**CERTIFICATE OF SERVICE**

I certify that a copy of New Mexico's Motion to Join Additional Parties Defendant was mailed to the following persons on February 19, 2002.

/s/ Ed Newville  
Edward G. Newville

Special Master Vickie L. Gabin  
USDC-DCNM  
P.O. Box 2384  
Santa Fe, NM 87504-2384

Darcy S. Bushnell, Esq.  
Adjudication Staff Attorney  
USDC-DCNM  
333 Lomas Blvd. NW  
Albuquerque, NM 87102-2272

Karla McCall, Data Manager.  
1315 Sagebrush Dr. SW  
Las Lunas, NM 87031

Bradley S. Bridgewater, Esq.  
David W. Gehlert, Esq.  
USDOJ-ENRD  
999 18th St., Suite 945  
Denver, CO 80202

John W. Utton, Esq.  
P.O. Box 271  
Albuquerque, NM 87103-0271

Fred J. Waltz, Esq.  
P.O. Box 6390  
Taos, NM 87571

Wilfred Gutierrez, Chair  
NM Acequia Commission  
P.O. Box 190  
Velarde, NM 87582

Paula Garcia  
NM Acequia Association  
P.O. Box 1229  
Santa Cruz, NM 87567

**EXHIBIT A**

<u>DEFENDANT</u>	<u>SUBFILE NO.</u>	<u>ADDRESS</u>
Anthony Tafoya II	CHNU-002-0003	P.O. Box 322, Tierra Amarilla 87575
Mary & Roman Martinez Trust	CHCB-002-0009	200 Roman's Lane, Bloomfield, NM 87413